

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

QUINCY D. SCOTT, SR.,	)	
	)	Case No. 1:22-cv-316
<i>Petitioner,</i>	)	
	)	Judge Travis R. McDonough
v.	)	
	)	Magistrate Judge Susan K. Lee
WARDEN JOHNNY FITZ,	)	
	)	
<i>Respondent.</i>	)	
	)	

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**JUDGMENT ORDER**

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In accordance with the accompanying memorandum opinion, Respondent's motion to dismiss (Doc. 11) is **GRANTED**, and this prisoner's pro se petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is **DISMISSED WITHOUT PREJUDICE**. A certificate of appealability **SHALL NOT** issue. Because the Court has **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Petitioner file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24. The Clerk is **DIRECTED** to close the file.

**SO ORDERED.**

/s/ Travis R. McDonough

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
s/ LeAnna R. Wilson  
CLERK OF COURT